

**Case Officer:** Wayne Campbell

**Recommendation:**

**Applicant:** Miss Ally Lynch

**Proposal:** Demolition of existing sport pavilion and erection of a new pavilion

**Expiry Date:** 17 November 2021

**Extension of Time:**

## **1. APPLICATION SITE AND LOCALITY**

1.1. The application site forms part of the Sibford School main site and comprises the main sports / playing pitches for the school. Access to the school playing fields and the site is provided via a single access point onto Hook Norton Road to the west. The playing pitches comprise a main field with rugby / football pitches, three astroturf tennis courts and a single storey wooden club house.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

2.1. The application seeks planning permission for the replacement of the club house with a new purpose-built structure. The proposal will be a dual pitched and on the same footprint as the existing.

## **3. RELEVANT PLANNING HISTORY**

3.1. There is no planning history directly relevant to the proposal

## **4. PRE-APPLICATION DISCUSSIONS**

4.1. No pre-application discussions have taken place with regard to this proposal

## **5. RESPONSE TO PUBLICITY**

5.1. This application has been publicised by way of advertisement in the local newspaper expiring **21 October 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **26 October 2021**. The site notice was not posted but given the aforesaid consultation and the lack of neighbours adjacent to the red line site area it has been deemed not essential in this instance.

5.2. The comments raised by third parties are summarised as follows

- Providing it's on same footprint no objections

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

## **6. RESPONSE TO CONSULTATION**

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

## PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. Sibford Ferris Parish Council: No objections

### OTHER CONSULTEES

6.3. Sport England: No objections

6.4. CDC Tree Officer: No objections

6.5. CDC Recreation Leisure: No objections

6.6. CDC Environmental Health: No objections

6.7. OCC Highways: No objections

6.8. CDC Ecology: No objections subject to condition.

## **7. RELEVANT PLANNING POLICY AND GUIDANCE**

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 ('CLP 2015') was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1: Presumption in Favour of Sustainable Development
- BSC 7: Meeting Education Needs
- BSC 8: Securing Health and Well-Being
- BSC 10: Open Space, Outdoor Sport and Recreation Provision
- BSC11: Local Standards of Provision -Outdoor Recreation
- ESD15 - The Character of the Built and Historic Environment

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C7: Landscape conservation
- C28: Layout, design and external appearance of new development
- R1: Allocation of land for recreation use

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

## **8. APPRAISAL**

8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area

- Residential amenity
- Highway implications
- Ecology / trees

8.2. Policy ESD15 of the CLP 2015 states, amongst other things that, *successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential. New development proposals should:*

- *Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in.*
- *Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.*
- *Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting*

8.3 Policy BSC 10 highlights, amongst other things, that *the Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured through the following measures:*

- *Protecting existing sites*
- *Addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision, and*
- *Ensuring that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals.*

8.4 This application seeks planning permission for the replacement of the old pavilion with a new purpose built structure. The existing pavilion has a plaque attached to the front of the building which states that it was opened in 1960 and although of an age it is now showing signs of age and in need of significant work to bring the building up to modern standards.

8.5 The new building would be on the same footprint to the old pavilion and as such would not occupy any greater area than the existing. The pavilion provides the school with a suitable building to act as a base for the playing pitches when in use. The pavilion therefore encourages and supports the use of the playing pitches for recreational use and therefore complies with adopted Policy.

### Design and Appearance

8.6 In terms of design the new pavilion would be of the same dimension to that of the old building on the site. The most significant change is that the revised building

would be dual-pitched in terms of design rather than the mono-pitch design of the existing. This change in style would have no significant impact on the area and in terms of appearance would be of a better design. The position of the trees alongside the pavilion building are located far enough away not to be impacted by the development with a change in roof height / design. For these reasons the change in design is considered appropriate to this location.

- 8.7 The comments of Sport England although confirming no objections to the proposal raised the point that the current design of the pavilion is a potential lost opportunity to provide an improved design. The reason for this is that Sport England have picked up on the fact that in the current design only one WC is provided and that this is considered to be light on provision. It is also highlighted that there is an opportunity to provide at least two shower cubicles, on the basis that personal hygiene is something which young people take seriously and that it has been shown that if there is no showering provision, it can be a barrier to participating in sport some people.
- 8.8 In response to these comments the applicant has advised that there is an ample supply of existing sports changing rooms within a short walking distance of the proposal (which were granted planning permission in 2008 ref. 08/01975). Furthermore, these are located next to the swimming pool and this is where showers and toilets are and can be accessed by any visiting teams or participants. Although the comments by Sport England are acknowledged the lack of showers and / or additional toilets in the pavilion is not an issue which would warrant a refusal of permission in this instance.

#### Residential amenity

- 8.8 The application site is located within an isolated part of the school site. The area around the existing and proposed pavilion is open playing fields and school buildings. The nearest residential properties are located to the north of the application site in Cotswold Close and are appropriately 86 metres away. As such it is considered that the provision of a new pavilion on the site will have no adverse impact on the nearby neighbouring properties.

#### Highway implications

- 8.9 Access to the site would be via the main access to the playing pitches and the school off the main access to Hook Norton Road. This access road terminates in a turning head to the immediate south of the application site / pavilion building. As such the proposal has no adverse impacts on the local highway network.

#### Ecology / trees

- 8.10 The application is supported by a detailed bat assessment for the existing building. This assessment highlights that the suitability for roosting pipistrelles *Pipistrellus sp* was considered to be negligible, as the only gaps were at the eaves, these much too wide and open for a roosting bat. At the time of the survey, the cricket pavilion at Sibford School was not identified as a bat roost, and as such no further surveys or mitigation measures are required. In addition to this the report also highlights that no birds' nests were found in or on the building, and the area occupied by the pavilion comprised close mown amenity grassland.
- 8.11 The Council's Ecology Officer advises that, although bats and nesting birds are not an issue in the demolition of the existing building, in line with policy to seek an overall gain for biodiversity from all development the new building should include a couple of measures for increasing opportunities wildlife such as bat boxes or bat

tiles. It is considered that a biodiversity enhancement scheme could be reasonably required by condition of any permission granted. In addition it is noted that there is a document showing a proposed type of light. As regards the impact on nocturnal wildlife a lighting strategy should be produced that outlines where, when and how often they envisage the exterior of the site to be lit.

8.12 With regards to the existing trees on the site, there are three trees located close to the existing building, one to the south and two to the north. None of these trees are covered by any TPO and the site is not located within a Conservation Area and as such these trees are not protected from any works / being felled. Notwithstanding this point the tree report submitted as part of the application highlights that these trees would be retained as part of the development.

8.13 The Council's trees officer has considered the details of the tree report and confirms no objections to the proposal in that the development would have a limited impact on the surrounding three trees. The trees should be protected in accordance with the details set out in the tree report prior to the commencement of the demolition of the existing building and throughout the construction of the new pavilion.

## **9. PLANNING BALANCE AND CONCLUSION**

9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.

9.2. It is accepted that the development would result in a slight change in appearance and character to this part of the playing pitches. However, the area of the site forms part of a larger area of the school's playing field for which outdoor sports is the principal use. The pavilion forms part of the outdoor sports and therefore a legitimate use of the site. The trees around the edge of the site would be retained and continue to form the backdrop of the new pavilion and as such the overall impact of the new pavilion design is considered acceptable.

## **10. RECOMMENDATION**

That permission is granted, subject to the following conditions

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans PF/10601.01, 2449-1, 53-69366-Sheet 2 Rev A received 03/09/2021 and documents Tree Report by Cotswold Wildlife Surveys dated 17 June 2021, Bat Survey Report by Cotswold Wildlife Surveys dated 17 June 2021 received 03/09/2021 unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Reason: To clarify the permission and for the avoidance of doubt and to safeguard the character and appearance of the area and in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government

guidance contained within the National Planning Policy Framework.

3. No development shall commence above slab level unless and until a method statement for enhancing the bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures approved shall be carried out prior to the first use or occupation of the development and shall be retained thereafter in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

4. The external lighting on the pavilion shall not be used between the hours of 21:30 and 08:00

Reason : To ensure that the development does not cause harm to any protected species or their habitats and to ensure no light pollution in the open countryside in accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Wayne Campbell

DATE: 30/11/2021

Checked By: Nathanael Stock

DATE: 02.12.2021

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